

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No: 10/823,527
Applicant: Tetsuhiko Keneaki
Filed: April 13, 2004
Title: GIFT CERTIFICATE, GIFT CERTIFICATE ISSUING
SYSTEM, GIFT CERTIFICATE USING SYSTEM
TC/A.U.: 4143
Examiner: Nathan C. Uber
Confirmation No.: 4865
Docket No.: MAT-8535US

**PETITION UNDER 37 C.F.R. §1.181 FOR
CONSIDERATION OF INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R :

This Petition is being filed to request consideration of references previously filed with an Information Disclosure Statement (IDS) on April 13, 2004. The Examiner refused to consider two references, arguing they were not properly submitted. Applicant respectfully disagrees.

As set forth in the IDS, reference JP 2001-167205 was provided with English-language counterpart WO 01/31526 and reference JP 06-505582 was provided with English-language counterpart US 5,500,514. Reference JP 2001-167205 and reference JP 06-505582 have not been considered.

Applicant respectfully submits that the IDS was in compliance with MPEP § 609.04(a)(III) which states the following: "An English-language equivalent application may be submitted to fulfill this requirement if it is, in fact, a translation of a foreign language application being listed in an information disclosure statement." Because the IDS included English-language equivalents for reference JP 2001-167205 and reference JP 06-505582, Applicant believes that he is entitled to have these references considered.

Accordingly, the Examiner is respectfully requested to consider the references enclosed with the originally filed IDS and to initial and return the Form 1449 to the undersigned.

Respectfully submitted,

Ratner Prestia

Lawrence E. Ashery, Reg. No. 34,515
Attorney for Applicant

LEA/dmw

Enclosures: Copy/IDS
Copy/PTO-1449
Copy/Time Stamped Return Receipt Postcard

Dated: April 8, 2008

P.O. Box 980
Valley Forge, PA 19482
610-407-0700

272598

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No: To Be Assigned
Applicant: Tetsuhiko KANEAKI
Filed: April 13, 2004
Title: GIFT CERTIFICATE, GIFT CERTIFICATE ISSUING SYSTEM, GIFT
CERTIFICATE USING SYSTEM
TC/A.U.: To Be Assigned
Examiner: To Be Assigned
Docket No.: MAT-8535US

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO 1449 (RP) submitted herewith. A copy of each of the listed references is also enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

The following Japanese references are not in the English language:

- 1) 2001-229276
- 2) 2002-109404
- 3) 2002-157423
- 4) 2001-167205
- 5) 06-505582

References 1) to 3) include an English language abstract.

References 4) and 5) have a counterpart English language patent or application attached. Further, a "concise explanation" under 37CFR § 1.98(a)(3) for Reference 4) is set forth in the background portion of the specification on page 1, lines 17-18.

This Information Disclosure Statement is being filed concurrently with the above-referenced application.

Respectfully submitted,


Lawrence E. Ashery, Reg. No. 34,515
Attorney for Applicant

COPY

LEA/dmw/fp

Enclosures: PTO Form 1449

Copies of (7) References
Transmittal Form

Dated: April 13, 2004

P.O. Box 980
Valley Forge, PA 19482
(610) 407-0700

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Substitute for Form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

SHEET 1 of 1

Complete if Known

Application Number	MAT-8535US
Filing Date	April 13, 2004
First Named Inventor	Tetsuhiko KANEAKI
Art Unit	To Be Assigned
Examiner Name	To Be Assigned
Attorney Docket No.	MAT-8535US

U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (If known)				
		JP 2001-229276 A (with English Abstract)	08/24/2001	SANYO ELECTRIC CO LTD	Entire Document	<input type="checkbox"/>
		JP 2002-109404 A (with English Abstract)	04/12/2002	SHARP CORP	Entire Document	<input type="checkbox"/>
		JP 2002-157423 A (with English Abstract)	05/31/2002	INTERNATL SCIENT:KK	Entire Document	<input type="checkbox"/>
		JP 2001-167205 A (with counterpart WO 01/31526)	06/22/2001		Entire Document	<input type="checkbox"/>
		JP 06-505582 A (with counterpart US 5,500,514)	06/23/1994		Entire document.	<input type="checkbox"/>
		WO 01/31526 A1 (with counterpart JP 2001-167205)	05/03/2001	ITICKET CO., LTD	Entire document.	<input type="checkbox"/>
Examiner Signature				Date Considered		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

¹Applicant's unique citation designation number (optional).

2 See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

3 Enter Office that issued the document, by the two-letter code (WIPO Standard St.3).

⁵Kind of document by the appropriate symbols as indicated on the document itself. WIPAC Standard 31.3.

⁶ Applicant is to place a checkmark in the appropriate box.

*Applicant is to place a check mark here if English language translation is attached.

The collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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FILE NO.: MAT/8535 US FEE: \$ 1154.00

NAME: Tetsuhiko Kaneaki

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| <input checked="" type="checkbox"/> Utility Transmittal Form (2) | <input checked="" type="checkbox"/> Fee Transmittal Form (2) |
| <input checked="" type="checkbox"/> Specification (<u>1</u> pp.) | <input checked="" type="checkbox"/> Certificate of Express Mail (1) |
| <input checked="" type="checkbox"/> <u>6</u> Sheets of Formal Drawings | <input checked="" type="checkbox"/> Preliminary Amendment (<u> </u> pp.) |
| <input checked="" type="checkbox"/> IDS and PTO Form 1449 (<u>2</u> pp.) | <input checked="" type="checkbox"/> Copy(ies) of <u>5</u> reference(s) |
| <input checked="" type="checkbox"/> Claim To Right of Priority | <input checked="" type="checkbox"/> Check(s) |
| <input checked="" type="checkbox"/> <u>1</u> Certified copy of Application | |
| <input checked="" type="checkbox"/> Declaration/POA (<u>2</u> pp.) | EXECUTED |
| <input checked="" type="checkbox"/> Assignment & PTO 1595 (<u>4</u> pp.) | EXECUTED |
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New Patent Application